



# FEDERAL COURT OF AUSTRALIA



## Position Details

Title	National Registrar
Classification	Executive Level 1 (EL 1)
Salary	\$100,626 - \$121,285 per annum, plus 15.4% superannuation
Job Type	Ongoing, Full-time
Locations	Multiple positions. These will be based in capital cities depending on successful candidates.
Position No	TBC
Reports to	Principal Judicial Registrar & National Operations Registrar

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Court Jurisdiction

The Federal Court of Australia (FCA) was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, commercial and insolvency (including corporations and bankruptcy), competition, consumer protection, Fair Work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court, including the allocation of case work to judges on a national basis, the organisation and management of the Court's work

nationally through the introduction of nine National Practice Areas (**NPAs**), the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to other broader and related areas of judicial and registrar work across both the FCA and the Federal Circuit Court (**FCC**) (general federal law), in its aim to ensure an efficient, effective and nationally consistent approach to the allocation and management of that work and to create opportunities for the advancement and career development of Judicial Registrars.

The Principal Judicial Registrar & National Operations Registrar (**PJR**) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has a number of key responsibilities as part of the implementation and operations of the NCF, including:

- assisting with the design and coherent operation of the NCF (across first instance and appellate work);
- the national allocation, management and workload analysis of all judicial and registrar general federal law work; and
- judicial support, including mediation and high level case management support.

The National Registrar (**NR**) position is a key national role within the National Operations Team. The position is multi-faceted and plays a critical role within the reformed structure of the Court and supports the PJR in a number of ways, including:

- the allocation and reallocation of first instance and appellate work to judges on a national basis across all NPAs. It involves providing high level advice and guidance on the application of the NCF Allocation Protocols. Overall, it involves supporting all judges nationally, their related staff and registries, to ensure consistent and appropriate allocations of judge-related matters. In addition, the NR supports the allocation and reallocation of general federal law work to registrars;
- the in-depth statistical analysis and assessment of federal law work (across first instance and appellate matters) and providing recommendations regarding the management of judge-related and registrar-related workload;
- legal and case management support for judges and Judicial Registrars, including undertaking legal research, legal support with complex and large matters and supporting the development of policy and practice for the Court; and
- the development of practices and procedures to support the implementation and ongoing operation of the NFC.

## **Major Activities**

The core areas of activity for the NR are outlined below. It is **important to note** that several NR positions are being recruited and, while each NR will need to have the ability to perform all of the major activities set out below, each NR role is intended to focus predominately on a primary area of responsibility. How the roles are managed will be arranged flexibly to take account of the workload of the Court and career development of the NR.

#### National allocation, re-allocation and management of judicial work

- Review all new judge-related first instance matters and promptly assess the nature, urgency and complexity of each matter in accordance with the NCF Allocation Protocols.
- Recommend the appropriate allocation of all new judge-related matters and urgent matters across each NPA in accordance with NCF Allocation Protocols, including the allocation of matters to newly appointed judges.
- Prepare case summaries of all new judge-related matters.
- Recommend the appropriate re-allocation of matters, based on the priority of the matter and commitments of judges.

#### Case management and analysis of appellate workload

- Undertake and oversee the preparation of case summaries for Full Court and appellate matters for consideration by the Chief Justice, National Appeals Coordinating Judges and Migration Liaison Judges (Appeals Judges).
- Undertake case management support and analysis, including preparing briefing material regarding the nature of each matter and providing recommendations as to the appropriate case management of Full Court and appellate matters for consideration by the Appeals Judges.
- Directly undertaking a substantial proportion of the case management steps in appeals, including liaison with legal representatives and performing delegated judicial functions by making appropriate orders.
- Consultation with the Chief Justice, Appeals Judges, PJR and National Judicial Registrar – Appeals in respect of the allocation and listing of Full Court and appellate matters during and outside dedicated sitting periods, including dealing with expedited appeals.
- High level support to the Chief Justice, Appeals Judges, PJR and National Judicial Registrar – Appeals regarding the management of appeals, including keeping up to date with significant developments in Full Court and appellate matters, with a view to keeping all judges updated in relation to developments that potentially affect matters in their dockets.

#### Policy, practice and high level legal support

- Work closely with the Deputy Principal Judicial Registrar & Deputy National Operations Registrar (**Deputy PJR**) to support the development of policy and practice in the Court, including:
  - the drafting of practice documents and website material;
  - preparing recommendations regarding practice notes, the Court's rules and other key policy and practice material;
  - analysing feedback regarding the Court's policy and practice;
  - preparing policy papers and reports for judges' meetings and judicial committee meetings;
  - preparing presentations and papers for meetings, seminars and workshops.
- Directly undertaking case management steps in a range of cases, including liaison with legal representatives and facilitating the making of appropriate case management orders.
- Provide high level case management and legal support to the Deputy PJR, including undertaking legal research and the preparation of case summaries for mediations, case management conferences and discovery disputes in large or complex proceedings, including class actions and multi-party disputes.

#### Coordination of registrar work and high level legal support

- Work closely with the Senior National Judicial Registrar (**SNJR**) in the management and coordination of registrar-related work nationally, including in the allocation and reallocation of general federal law work to registrars and the analysis of registrar-related work.
- Assist with the management and coordination of staff who provide legal support to registrars.
- Supporting the national arrangements (including the development of those arrangements) for litigants in person, in both the original and appellate jurisdiction.
- Directly undertaking case management steps in a range of cases, including liaison with legal representatives.
- Provide high level case management and legal support to the SNJR, including undertaking legal research and the preparation of case summaries for mediations, case management conferences and discovery disputes in large or complex proceedings, including class actions and multi-party disputes.

#### Workload analysis and monitoring

- Ongoing management and review of the NCF Reporting Framework, including preparation, distribution and analysis of NCF Reports.
- Undertake in-depth analysis, reporting and monitoring of federal law work (across first instance and appellate matters) and Judicial Registrar workload. This reporting will include analysing trends in filings (eg. nature, complexity, filing party, location, allocation and resolution of matters across NPAs and areas of practice).
- Provide recommendations to the Chief Justice and PJR regarding the management of the Court's judicial and registrar workload.
- Manage the quality assurance component for the NCF Reporting Framework to ensure that the statistical analysis undertaken can be used to support the workload management of the Court.

#### Other aspects of the NR role

- Provide high level case management and legal support for judges nationally, including undertaking legal research and providing legal support in regard to complex and large matters.
- Provide high level case management and legal support to the PJR, including undertaking legal research and the preparation of case summaries for mediations, case management conferences and discovery disputes in large or complex proceedings, including class actions and multi-party disputes.
- Undertake liaison with the profession regarding all judge and registrar-related matters (including urgent matters) and the operation of the NCF.
- Where appropriate, perform delegated judicial functions pursuant to the *Federal Court of Australia Act 1976* (Cth) and other legislative instruments, as performed by Judicial Registrars of the Court, such as in the area of costs, duty registrar practice and determining certain insolvency applications.

### **Key Relationships**

Key relationships for the NR roles will vary depending on the particular areas of focus for each position, and will include the following key relationships:

- *Chief Justice and Judges*: consult and liaise with and provide high level advice in relation to the allocation and reallocation of judge-related matters (both first instance and appellate) and the management of judicial workload.

- *PJR*: provide high level advice in relation to the allocation and reallocation of judge-related matters (both first instance and appellate) and the management of judicial and registrar workload. Provide high level case management and mediation support.
- *Deputy PJR*: Work closely with the Deputy PJR to support the development of policy and practice in the Court. Provide high level case management and mediation support.
- *SNJR*: assist with the management of Judicial Registrars and legal support staff and the work they undertake. Provide high level case management and mediation and legal support.
- *Director of National Operations*: liaise and consult with the Director of National Operations regarding the development of practices and procedures to support the successful implementation and ongoing operation of the NCF.
- *Chambers / Registry staff*: provide guidance on the practices and procedures for the national allocation of judge and registrar-related matters (both first instance and appellate), including urgent matters, and the operation of the NCF.
- *Legal profession and litigants*: provide guidance on the Court's practices and procedures in a range of areas.

## Competencies & Attributes

To undertake this role the successful candidate must have:

- attained a legal qualification;
- litigation and case management experience in superior courts of Australia;
- a sound understanding of the jurisdiction and practices and procedures of the Court (and the FCC) or the ability to acquire such knowledge quickly;
- the ability to undertake analytical and legal work and critically evaluate a large volume of information in a high pressured environment;
- the ability to work autonomously with the necessary authority and accountability to manage work but also work collaboratively as part of a small team;
- the ability to manage multiple tasks and priorities;
- the ability to build and sustain positive relationships with of key internal and external stakeholders.

## Formal Qualifications

This position may require the occupant to perform statutory legal functions, as necessary.

Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

## Selection Criteria

1. Experience in litigation and case management in superior courts of Australia.
2. Demonstrated knowledge of the Federal Court's jurisdiction, practices and procedures, or the ability to acquire such knowledge quickly and the ability to interpret and apply rules and regulations.
3. Highly developed analytical and conceptual skills and demonstrated achievements in developing and implementing improved and innovative services and processes.

4. Demonstrated ability to critically evaluate information and demonstrate sound judgment in decision making.
5. Highly developed communication skills, including the ability to represent the Court externally and the ability to influence behaviour and attitudes.
6. Legal qualifications and admission as a practitioner of the High Court or the Supreme Court of a State or Territory of Australia.

## **Eligibility**

Employment with the Court is subject to the terms and conditions in the Public Service Act 1999, and the following conditions:

- Australian citizenship – the successful applicant must hold Australian citizenship;
- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
- Health clearance – the successful applicant will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired.

## **How to Apply**

To apply for this position please click on the “apply now” button on the Federal Court website ([www.fedcourt.gov.au](http://www.fedcourt.gov.au))

To be considered you will need to complete a statement of claims against the selection criteria and attach an up to date resume **by 11:55PM on 21 May 2018**.

For more information contact Matt Asquith, Recruitment Advisor on 02 4253 6230.